

REMARKS

Except as explained below, Applicants are amending Claims 9-29 to clarify the structural features of the present invention or to better claim the invention. These amendments are not in response to a patentability rejection.

Applicants will address each of the Examiner's rejections in the order in which they appear in the Office Action.

Claim Rejections - 35 USC §112

In the Office Action, the Examiner rejects Claims 17-20, 23, 26 and 29 under 35 USC §112, second paragraph, as being indefinite. This rejection is respectfully traversed.

In particular, the Examiner objects to the phrase "said pixel matrix" in line 13 of Claim 17 as having an insufficient antecedent basis. In response, Applicants are changing "pixel" to "display", in accordance with the Examiner's suggestion.

As this overcomes the Examiner's basis for rejection, it is respectfully requested that this rejection be withdrawn.

The Examiner further stated that if independent Claim 17 and corresponding dependent Claims 18-20, 23, 26 and 29 were amended to overcome the rejection under 35 USC §112, 2nd paragraph, these claims would be allowable. As the Examiner only had an §112 objection to Claim 17 and as Applicants have now amended independent Claim 17 to overcome the §112 rejection, it is respectfully requested that Claims 17-20, 23, 26 and 29 now be allowed.

Claim Rejections - 35 USC §102

The Examiner also rejects Claims 9-15, 21, 22, 24, 25, 27 and 28 under 35 USC §102(e) as being anticipated by Kaifu et al. (US 5,812,109). This rejection is respectfully traversed.

While Applicants traverse this rejection, Applicants are amending the claims to make it clear that Kaifu does not disclose or suggest the claimed invention.

In particular, Applicants are amending independent Claims 9 and 12 to recite “an upper electrode *common to the plurality of light receiving pixels*” (emphasis added). This feature is shown, for example, as upper electrode 212 in Fig. 8A of the present application.¹ In contrast, Kaifu does not appear to disclose or suggest an upper electrode which is common to a plurality of light received pixels. See e.g. 6 of S11 in Figs. 4A, 4B in Kaifu.

Applicants are also amending independent Claims 9 and 12 to make it clear that “the lead-out wiring is formed by a starting film *different* from that of the upper electrode” (emphasis added). See for example lead-out wiring (606) and upper electrode (212) in the present application. In contrast, Kaifu appears to disclose the lead-out wiring (SIG) as being formed by a starting film the same as that of the upper electrode (6 of S11).

In addition, Claim 12 recites a plurality of lower electrodes formed by a starting film *the same* as that of the electrode layer. See e.g. lower electrodes (208) and electrode layer (308) in the present application. In contrast, Kaifu appears to disclose a lower electrode (2) formed by a starting film *different from* that of an electrode layer (83).

Applicants also note that there appears to be an error in the office action. On page 4, ln. 2, the Office Action states “...see figure 3: The upper electrodes (G) connect to...” referring to Kaifu. However, it appears that the upper electrodes in Kaifu are D, not G. See e.g. col. 5, lns. 35-37 of Kaifu.

Therefore, for at least the above-stated reasons, Kaifu does not disclose or suggest the display device of independent Claims 9 and 12 or those claims dependent thereon. Accordingly, these

¹ Applicants are amending independent Claim 17 in a similar manner. However, the amendment to Claim 17 is not in response to a patentability rejection but merely to clarify the claimed invention.

claims are patentable over Kaifu, and it is respectfully requested that this rejection be withdrawn.

New Claims

Applicants are adding new Claims 30-32 herewith. It is respectfully submitted that these claims are also allowable over the cited references, for at least some of the reasons discussed above.

If any fee is due for these new claims, please charge our deposit account 50/1039.

Conclusion


Accordingly, it is respectfully submitted that the present application is in a condition for allowance and should be allowed.

Please charge Deposit Account No. 50-1039 for any fee due for this amendment.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

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